

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2440 - HB 2569

February 19, 2022

SUMMARY OF BILL: Prohibits the state, a political subdivision of the state, a public higher education system, a local education agency, a public charter school, and any other entity or instrumentality of the state from discriminating against, or granting preferential treatment to, an individual or group based on the individual's or group's race, sex, color, ethnicity, or national origin in the operation of any aspect of public employment, public education, or public contracting. Grants a person aggrieved by a violation of the proposed legislation a private right of action against the state.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Under current law, pursuant to Tenn. Code Ann. § 4-21-401(a), it is a discriminatory practice to fail or refuse to hire or discharge any person or otherwise to discriminate against an individual with respect to compensation, terms, conditions or privileges of employment because of such individual's race, creed, color, religion, sex, age or national origin.
- It is assumed that the state, and any entity or instrumentality of the state, does not utilize discriminatory practices in employment, education, or contracting.
- The proposed language does not prohibit an action required to establish or maintain eligibility for any federal program or federally funded program where ineligibility would result in a loss of federal funds to the state.
- There is not estimated to be a significant increase in private actions against the state as a result of this legislation.
- The operations of the Human Rights Commission will not be impacted.
- Any fiscal impact is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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